

REMARKS

Responsive to the Non-Final Office Action mailed 9/4/2003 (Paper No. 12) Applicants submit the following remarks.

Applicants have reviewed carefully the applied art of Schwebel and Willis and respectfully traverse the rejection of claims 1-18 thereunder. Nothing in Schwebel or Willis teaches or suggests an injection system that has a two discrete materials. Willis merely teaches a system that can mix two medicants or a medicant and a carrier. However, the claim language recites a charge made of two discrete materials. Nothing in Schewebel nor in Willis teaches or describes or suggests a charge having two discrete materials – or that multiple charge materials having different combustion characteristics can be part of an injection device. Yet this is the explicit subject matter of claims 1 and 2. Nor does the Office Action provide any motivation for making the proposed combination, as required by law.

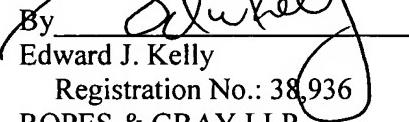
Moreover, even if one were to make the proposed combination, one would fail to obtain the injection system as claimed in Claim 1 the injection method as claimed in Claim 15. Specifically, Claim 15 requires the steps of igniting a charge in an injection system wherein the charge comprises two discrete materials. The proposed combination fails to provide any system or method that would ignite a charge having two discrete materials. One would not ignite the materials taught in Willis as they are the medicines to deliver to the patient.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue. If any issues remain, Applicants request an interview with the examiner.

Applicant believes no additional fee is due with this response. However, if an additional fee is due, please charge our Deposit Account No. 18-1945, under Order No. BVTP-P03-007 from which the undersigned is authorized to draw.

Dated: March 4, 2004

Respectfully submitted,

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